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Date: 8/3/2004

Julie A. Eshick  
Signature of Person Mailing Correspondence

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**PATENT**

Applicant(s):	David S. Bonalle	Docket No.:	70655.3200
Serial No.:	10/710,335	Group Art Unit:	TBA
Filed:	July 1, 2004	Examiner:	TBA
Title:	BIOMETRIC SAFEGUARD METHOD WITH A SMARTCARD	Confirmation No.:	4334

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Commissioner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R., §§1.97 and 1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed on the attached Form PTO/SB/08A. One copy of each cited document is submitted herewith. Applicant respectfully submits that all pending claims are patentable over the foregoing references, alone or in combination. The Examiner is requested to initial the enclosed Form PTO/SB/08A and return a copy thereof to the undersigned.

The items listed on Form PTO/SB/08A may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve the right to dispute any of the listed documents as prior art during examination. Further, Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. Furthermore, the submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

1. [ ] For each of the following items listed on the enclosed copy of Form PTO/SB/08A that is not in the English language, an English language translation of that item or a portion thereof or a concise explanation of the relevance of that item is enclosed:
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2. [ ] Any copy of the items listed on the enclosed copy of Form PTO/SB/08A that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior [ ] Parent Application, [ ] Continuation, [ ] Divisional or [ ] Continuation-In-Part application under 37 C.F.R. §1.97, U.S. Serial No. \_\_\_\_\_, filed \_\_\_\_\_.

3. [ X ] No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

- [ X ] 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
- [ ] 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.
- [ ] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.

4. [ ] No fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period specified in paragraph 3 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below.

5. [ ] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c), after the period

specified in paragraph 3 above but before the mailing date of a final action or a notice of allowance (where there has been no prior final action):

- [ ] A check in the amount of \$180.00 is enclosed in payment of the fee.
- [ ] Charge the fee to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

6. [ ] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:

- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below; and
- b. the attached petition requesting consideration of this Information Disclosure Statement; and
- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 9 below.

7. [ ] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- a. [ ] 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
- b. [ ] 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
- c. The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 9 below.

8. [ ] I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

[ ] I hereby certify that no item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making

reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

9. [ ] A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(p).
- [ ] Charge the fee due under 37 C.F.R. §1.17(i)(1) to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.
- [ X ] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

Snell & Wilmer



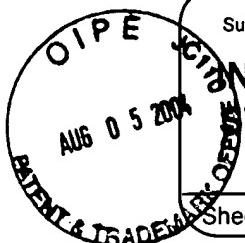
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Howard I Sobelman  
Registration No. 39,038

Dated: 8/3/04

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Substitute for form 1449B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

1

of

3

**Complete if Known**

<b>Application Number</b>	10/710,335
<b>Filing Date</b>	July 1, 2004
<b>First Named Inventor</b>	David S. Bonalle
<b>Art Unit</b>	TBA
<b>Examiner Name</b>	TBA
<b>Attorney Docket Number</b>	70655.3200

**OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		"Biometrics: Speaker Verification", by Kulkarni, et al., <a href="http://biometrics.cse.msu.edu/speaker.html">http://biometrics.cse.msu.edu/speaker.html</a> , 03/08/2004, 5 pages	
		"Judge Dismisses FTC Suit Against Rambus", Evers, IDG New Service, <a href="http://www.infoworld.com/article/04/02/18/HNjudgedismisses_1.html">http://www.infoworld.com/article/04/02/18/HNjudgedismisses_1.html</a> , 02/18/2004, 3 pages	
		"Credit on Your Key Ring, Buy Gas at Mobil, Exxon and Soon Burgers at McDonald's", by Krakow, MSNBC, <a href="http://www.msnbc.msn.com/id/3072638">http://www.msnbc.msn.com/id/3072638</a> , 02/17/2004, 4 pages	
		"The Evolution of Mobile Payment", by McPherson, Financial Insights, 02/02/04, <a href="http://www.banktech.com/story/mews/showArticle/jhtml?articleID=17601432">http://www.banktech.com/story/mews/showArticle/jhtml?articleID=17601432</a> , 2 pages	
		"RFID Take Priority With Wal-Mart", by DocMemory, <a href="http://www.simmtester.com/page/news/shownews.asp?num=6550">http://www.simmtester.com/page/news/shownews.asp?num=6550</a> , 02/09/2004, 2 pages	
		"Microsoft, IBM and Phillips Test RFID Technology", by Rohde, IDG New Service, <a href="http://www.computerweekly.com/Article127889.htm">http://www.computerweekly.com/Article127889.htm</a> , 02/09/2004, 3 pages	
		"Pay By Touch Press Releases", <a href="http://www.paybytouch.com/press.html">http://www.paybytouch.com/press.html</a> , 02/10/2004, 3 pages	
		"PowerPay RFID Payment and Marketing Solution Speeds Purchases at Seahawks Stadium with Technology from Texas Instruments", <a href="http://www.powerpayit.com/news/Seahawks_pr.html">http://www.powerpayit.com/news/Seahawks_pr.html</a> , 02/09/2004, 2 pages	
		"Putting Their Finger on It", by Wilson, <a href="http://sanfrancisco.bizjournals.com/sanfrancisco/stories/2003/10/20/story6.html?t=printable">http://sanfrancisco.bizjournals.com/sanfrancisco/stories/2003/10/20/story6.html?t=printable</a> , 02/09/2004, 2 pages	
		"TI Embraces Prox Card Standard", by Roberti, 03/06/2003, <a href="http://www.ti.com/tiris/docs/in-the-news/2003/3-6-03.shtml">http://www.ti.com/tiris/docs/in-the-news/2003/3-6-03.shtml</a> , 2 pages	
		"Paying It By Ear", The Guardian, 01/18/2003, <a href="http://money.guardian.co.uk/creditanddebit/creditcards/story/0,1456,876908,00.html">http://money.guardian.co.uk/creditanddebit/creditcards/story/0,1456,876908,00.html</a> , 3 pages	

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>				<b>Application Number</b>	10/710,335
(use as many sheets as necessary)				<b>Filing Date</b>	July 1, 2004
Sheet	2	of	3	<b>First Named Inventor</b>	David S. Bonalle
				<b>Art Unit</b>	TBA
				<b>Examiner Name</b>	TBA
				<b>Attorney Docket Number</b>	70655.3200

<b>OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS</b>			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		Pay By Touch - Company, <a href="http://www.paybytouch.com/company.html">http://www.paybytouch.com/company.html</a>	
		"Identix Inc. - Empowering Identification™ - Understanding Biometrics", <a href="http://www.identix.com/newsroom/news_biometrics_face.html">http://www.identix.com/newsroom/news_biometrics_face.html</a> , 1 page	
		"International Biometric Group - Signature Biometrics: How It Works", <a href="http://www.ibgweb.com./reports/public/reports/signature-scan_tech.html">http://www.ibgweb.com./reports/public/reports/signature-scan_tech.html</a> , 02/18/2004, 1 page	
		"International Biometric Group - Voice Recognition Technology: How It Works", <a href="http://www.ibgweb.com/reports/public/reports/voice-scan_tech.html">http://www.ibgweb.com/reports/public/reports/voice-scan_tech.html</a> , 02/18/2004, 1 page	
		"The Henry Classification System", International Biometric Group, 7 pages	
		"Individual Biometrics - Hand Geometry", <a href="http://ctl.ncsc.dni.us/biomet%20web/BMHand.html">http://ctl.ncsc.dni.us/biomet%20web/BMHand.html</a> , 02/18/04, 2 pages	
		"Individual Biometrics - Retinal Scan", <a href="http://ctl.ncsc.dni.us/biomet%20web/BMRetinal.html">http://ctl.ncsc.dni.us/biomet%20web/BMRetinal.html</a> , 2/18/04, 2 pages	
		"Individual Biometrics - Iris Scan", <a href="http://ctl.ncsc.dni.us/biomet%20web/BMIris.html">http://ctl.ncsc.dni.us/biomet%20web/BMIris.html</a> , 2/18/04, 2 pages	
		"Individual Biometrics - Vascular Patterns", <a href="http://ctl.ncsc.dni.us/biomet%20web/BMVascular.html">http://ctl.ncsc.dni.us/biomet%20web/BMVascular.html</a> , 02/18/04, 1 page	
		"Individual Biometrics - Fingerprint", <a href="http://ctl.ncsc.dni.us/biomet%20web/BMFingerprint.html">http://ctl.ncsc.dni.us/biomet%20web/BMFingerprint.html</a> , 2/18/04, 3 pages	
		"Fingerprint Technology - Identix Inc. - Empowering Identification™ - Understanding Biometrics", <a href="http://www.identix.com/newsroom/news_biometrics_finger.html">http://www.identix.com/newsroom/news_biometrics_finger.html</a> , 2/18/04, 1 page	

Examiner Signature	Date Considered
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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Sheet	3	of	3	<b>Filing Date</b>	July 1, 2004
				<b>First Named Inventor</b>	David S. Bonalle
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				<b>Attorney Docket Number</b>	70655.3200

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		"Individual Biometrics - Facial Recognition", <a href="http://ctl.ncsc.dni.us/biomet%20web/BMfacial.html">http://ctl.ncsc.dni.us/biomet%20web/BMfacial.html</a> , 2/18/04, 2 pages
		"Fingerprint Analysis - The Basics", <a href="http://www.crimtrac.gov.au/fingerprintanalysis.htm">http://www.crimtrac.gov.au/fingerprintanalysis.htm</a> , 2/18/04, 3 pages
		"Visual Speech and Speaker Recognition", by Luettin, 06/30/2000, <a href="http://herens.idiap.ch/~luettin/luettin-thesis.bib.abs.html">http://herens.idiap.ch/~luettin/luettin-thesis.bib.abs.html</a> , 1 page
		"Automatic Ear Recognition by Force Field Transformations", by Hurley, et al., The Institution of Electrical Engineers, 2000, pp. 71-7/5
		"Everything You Need to Know About Biometrics", by Bowman, Identix Cropoation, January 2000, 8 pages
		"How Fingerprint Scanners Work", by Harris, <a href="http://computer.howstuffworks.com/fingerprint-scanner.htm/printable">http://computer.howstuffworks.com/fingerprint-scanner.htm/printable</a> , 02/18/04, 6 pages
		"How Facial Recognition Systems Work", by Bonsor, <a href="http://computer.howstuffworks.com/facial-recognition.htm/printable">http://computer.howstuffworks.com/facial-recognition.htm/printable</a> , 2/18/04, 6 pages
		"Biometrics: Hand Geometry", by Ross, et al., <a href="http://biometrics.cse.msu.edu/hand_geometry.html">http://biometrics.cse.msu.edu/hand_geometry.html</a> , 2/26/04, 2 pages
		"Biometric Person Authentication: Odor", by Korotkaya, Department of Information Technology, Laboratory of Applied Mathematics, Lappeenranta University of Technology, 18 pages
		"ISO Magnetic Stripe Card Standards", <a href="http://www.cyberd.co.uk/support/technotes/ioscards.htm">http://www.cyberd.co.uk/support/technotes/ioscards.htm</a> , 2/9/04, 4 pages
		"Smart Card Developer's Kit: Some Basic Standards for Smart Cards", <a href="http://unix.be.eu.org/docs/smart-card-developer-kit/ch03/033-035.html">http://unix.be.eu.org/docs/smart-card-developer-kit/ch03/033-035.html</a> , 2/9/04, 2 pages

Examiner Signature	Date Considered
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